

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 11-28-05

(A) 11/28/05

United States District Court
Southern District Of New York

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (RCC) ECF Case
---	-------------------------------

This Document Relates to:

Cantor Fitzgerald Associates v. Akida Investment Co., 04-CV-7065

**STIPULATION WITH REGARD TO RULINGS ON MOTIONS TO DISMISS
OF DEFENDANTS HRH PRINCE NAIIF BIN ABDULAZIZ AL-SAUD, HRH
PRINCE SALMAN BIN ABDULAZIZ AL-SAUD, AND THE SAUDI HIGH
COMMISSION IN RELATED CASES**

WHEREAS the plaintiffs in the action entitled Cantor Fitzgerald Associates, et al. v. Akida Investment Co., et al. (the "Action") commenced the Action on September 2, 2004;

WHEREAS HRH Prince Naif bin Abdulaziz Al-Saud ("Prince Naif"), HRH Prince Salman bin Abdulaziz Al-Saud ("Prince Salman"), and the Saudi High Commission (the "SHC") are named as a defendants in the Action;

WHEREAS Prince Naif, Prince Salman, and the SHC filed consolidated motions to dismiss the complaints naming them as defendants in some or all of the following related cases (the "Related Cases"): *Ashton v. Al Qaeda Islamic Army*, 02-CV-6977 (RCC); *Barrera v. Al Qaeda Islamic Army*, 03-CV-7036 (RCC); *Burnett v. Al Baraka Investment & Development Corp.*, 03-CV-5738 (RCC); *Burnett v. Al Baraka Investment & Development Corp.*, 03-CV-9849 (RCC); *Federal Insurance Co. v. Al Qaida*, 03-CV-6978; *Salvo v. Al Qaeda Islamic Army*, 03-CV-5071 (RCC) (the "Consolidated Motions");

WHEREAS Prince Naif's, Prince Salman's, and the SHC's Consolidated Motions have been ruled on by the Court in its Opinion and Order dated September 21, 2005;

WHEREAS the allegations in the Action parallel those in the complaints filed in the Related Cases and, in many instances, are identical to them; in particular, the allegations that make specific reference to Prince Naif, Prince Salman, and the SHC in the Action are substantially similar to those in the Related Cases;

WHEREAS the parties hereto wish to avoid, if possible, burdening the Court with additional filings or themselves with unnecessary litigation costs;

IT IS HEREBY STIPULATED AND AGREED, subject to the approval of the Court, that:


1. The parties hereto adopt as a binding order in the Action, only as to Prince Naif, Prince Salman, and the SHC, the Opinion and Order of this Court dated September 21, 2005, deciding the Consolidated Motions (the "Order"). The parties agree to apply as binding only those portions of the order regarding Prince Naif, Prince Salman and the SHC. The remainder of the order, including rulings as to other defendants named thereto, is not the subject of or covered by this stipulation.

2. In the event the Order is appealed, the parties hereto will adopt as a binding order in the Action, with regard to Prince Naif, Prince Salman, and the SHC only, any subsequent rulings by any appellate courts with regard to the Order as it applies to these defendants.

3. This stipulation supersedes all previous stipulations between Plaintiffs' counsel in the Action and counsel for each of Prince Naif, Prince Salman, and the SHC.

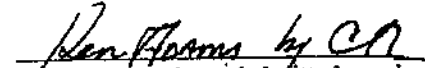
Respectfully Submitted,

BAKER BOTTS, L.L.P.


William H. Jeffress, Jr. (admitted *pro hac vice*)
Christopher R. Cooper (admitted *pro hac vice*)
Jamie S. Kilberg (admitted *pro hac vice*)
Sara E. Kropf (admitted *pro hac vice*)
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2400
Phone: (202) 639-7700
Fax: (202) 639-7890

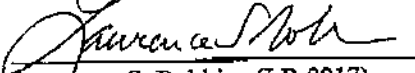
*Counsel for Defendants Prince Naif bin
Abdulaziz Al-Saud and Prince Salman bin
Abdulaziz Al-Saud*

DICKSTEIN, SHAPIRO, MORIN &
OSHINKSY, L.L.P.


Kenneth L. Adams (admitted *pro hac vice*)
Christopher Leonardo (CL 3043)
1177 Avenue of the Americas
41st Floor
New York, N.Y. 10036-2714
Phone: (212) 835-1400
Fax: (212) 997-9880


*Counsel for Plaintiffs Cantor Fitzgerald
Associates, et al.*

ROBBINS, RUSSELL, ENGLERT, ORSECK
& UNTEREINER LLP


Lawrence S. Robbins (LR 8917)
1801 K Street, N.W.
Washington, D.C. 20006
Phone: (202) 775-4500
Fax: (202) 775-4510

*Counsel for Defendant the Saudi High
Commission*

SO ORDERED:


Richard C. Casey
U.S.D.J.
Date: Nov. 29, 2005